

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

BLUESTONE COAL CORPORATION,
a West Virginia Corporation; and,
DOUBLE-BONUS MINING COMPANY,
a West Virginia Corporation

Plaintiffs,

v.

Civil Action No.: 2:16-CV-06098
Honorable Thomas E. Johnston

PINNACLE MINING COMPANY, LLC,
a Delaware Corporation; TARGET
DRILLING, INC., a Pennsylvania Corporation;
SENECA COAL RESOURCES, LLC,
a Delaware Limited Liability Company;
SENECA NORTH AMERICAN COAL, LLC,
("SNAC"), a Delaware Limited Liability Company;
CLIFFS NATURAL RESOURCES, INC.,
an Ohio Corporation; TAM INTERNATIONAL, INC.,
a Delaware Corporation;

Defendants.

MOTION FOR SUMMARY JUDGMENT

Defendant TAM International, Inc. ("TAM"), by counsel, pursuant to Rule 56 of the Federal Rules of Civil Procedure, moves this Court to enter summary judgment in its favor as to (i) the direct claims by Plaintiffs; and (ii) the counterclaim¹ by Cliffs Natural Resources, LLC. The record is completely devoid of any evidence of wrongdoing by TAM, and without such evidence, summary judgment in favor of TAM is proper. The grounds for

¹ Cliffs filed its Counterclaim to TAM's previously filed Crossclaim.

summary judgment are more fully set forth in the accompanying *Memorandum of Law in Support of Motion for Summary Judgment*, which is incorporated herein.

WHEREFORE, for the foregoing reasons, and those set forth more fully in the accompanying memorandum of law, TAM moves this Court for entry of summary judgment and such other relief that is just and proper.

TAM INTERNATIONAL, INC.

By Counsel,

/s/ Andrew C. Robey

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a Delaware Corporation;

Defendants.

CERTIFICATE OF SERVICE

The undersigned counsel for Tam International, Inc., hereby certifies that on this **14th day of September, 2018**, a true copy of the foregoing "*Motion for Summary Judgment*" was electronically filed with the Clerk of the Court through the CM/ECF System which will send electronic notification to the following participants:

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